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8 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,) Criminal No. CR 07-0421 MAG

14 Plaintiff,)

15 v.)

16 LECK CHOULABOUT, and)
17 CHUNN PHONGSAVATH, and)
18 SARNON SAEPHAN,)

Defendant.)

[PROPOSED] ORDER AND
STIPULATION EXCLUDING TIME
FROM NOVEMBER 19, 2007 TO
JANUARY 14, 2008

20 The parties appeared before the Honorable Nandor J. Vadas on November 19, 2007.

21 With the agreement of counsel for all parties, the Court found and held as follows:

22 1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §
23 3161(b), from November 19, 2007, to January 14, 2008, in light of the need for continuity of
24 counsel and effective preparation of counsel. Failure to grant the requested continuance would
25 unreasonably deny the defendants the presence of counsel and continuity of counsel and would deny
26 government counsel time for effective preparation, taking into account the need to investigate
27

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and file a superseding information in the above-reference matter..

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from November 19, 2007, to January 14, 2008, outweigh the best interest of the public and the defendants in a speedy trial. *Id.* § 3161(h)(8)(A).

3. Accordingly, and with the consent of the defendant, the Court ordered that the period from November 19, 2007, to January 14, 2008, be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO STIPULATED.

DATED: 12/03/07

/s/

DATED: 12/03/07

/s/

DATED: 12/03/07

/s/
LAWRENCE M. KILLORAN
Counsel for Chun Phongsavath

DATED: 12/03/07

WENDY THOMAS
Special Assistant U.S. Attorney
/s/

IT IS SO ORDERED.

DATED: _____

THE HON. NANDOR J. VADAS
United States Magistrate Judge

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